

## UNITED STATES DISTRICT COURT

for the

WESTERN District of TEXAS

United States of America

v.

Keisha Swarner

Case No. SA-22-MJ-00543

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 31, 2022 in the county of Bexar in the  
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*

18 USC 2244(a)(3)

Abusive Sexual Contact with a Minor

PENALTIES: Not more than 2 years imprisonment; \$250,000 Fine. 5  
Years of Supervised Release, \$100 Mandatory Special Assessment.

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

- ☐
- Sworn to before me and signed in my presence.
- 
- ☒
- Sworn to telephonically and signed electronically.

Date: 04/14/2022City and state: San Antonio, TXMARTIN.GERALD.A.I Digitally signed by  
II.1234338044 MARTIN.GERALD.A.III 1234338044  
Date: 2022.04.14 12:22:20 -05'00'*Complainant's signature*  
Gerald Martin, Naval Criminal Investigative  
Services Resident Agency Special Agent*Printed name and title**Judge's signature*

Richard B. Farrer, U.S. Magistrate Judge

*Printed name and title*

SA-22-MJ-00543

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Gerald Martin, being duly sworn, depose and state that:

1. I have been employed as a Special Agent with the Naval Criminal Investigative Service (NCIS) since November 2006. I am currently assigned to the NCIS Resident Agency, San Antonio, Texas. I have received training in the area of child exploitation and have experience in investigating the sexual exploitation of children. As a Special Agent, I am authorized to investigate violations of the laws of the United States and to execute warrants issued under the authority of the United States.

2. This investigation into **KEISHA SWARNER** originated from concerns raised by a parent (the Complainant) to Joint Base San Antonio (JBSA) Lackland Security Forces in April 2022. Complainant is the mother of Child Victim 1 (CV1), a 13-year-old boy. [REDACTED] Child Victim 2 (CV2), a 12-year-old girl. CV1 and CV2 are boyfriend and girlfriend. SWARNER and [REDACTED] CV2, live on JBSA Lackland. Your affiant's investigation has shown that SWARNER violated 18 U.S.C. § 2244(a)(3), Abusive Sexual Contact with a Child, by knowingly causing sexual contact with CV1 and CV2 at JBSA Lackland.

3. On April 1, 2022, Complainant reported to JBSA Lackland Security Forces that SWARNER hosted a co-ed children's sleepover at her JBSA Lackland residence in January 2022. SWARNER had impersonated the Complainant to another child's mother in order to gain permission for that child to sleep over. As a result, Complainant did not allow her 13-year-old son, CV1, to have contact with SWARNER or her husband, Karl Swarner.

4. Nevertheless, on April 1, 2022, Complainant found a cellular phone in CV1's possession that contained explicit conversations between CV1 and SWARNER. Complainant also found there was money sent from SWARNER to CV1 via the "Cash App" application, and texts from CV1 to SWARNER asking if he could use the money.

5. On April 6, 2022, Air Force Office of Special Investigation (AFOSI) conducted a child forensic interview of CV1, who provided the following information: Since February 2022, SWARNER gave CV1 three/four iPads and two iPhones to communicate, and told CV1 not to tell his parents about the devices. SWARNER told CV1 that [REDACTED] 12-year-old [REDACTED] CV2, had never seen a penis, and paid CV1 "\$20.00 or something" to take pictures of his penis and send them to CV2. CV1 took three to four pictures of his penis and sent them to CV2, and CV2 sent him approximately four pictures of her breasts.

6. CV1 would frequently go to CV2's residence on JBSA Lackland. SWARNER would text him and tell him to meet at a certain location and SWARNER, with CV2, would pick CV1 up near his home or school and bring him to their residence. SWARNER told CV1 it was illegal for her to bring him onto JBSA Lackland, so he was not to tell anyone about it. While at SWARNER's residence, SWARNER told CV1 to "cuddle" with CV2, specifically on the left side of the bed, six or seven times. On one occasion, SWARNER told CV1 to have sex with CV2, which he refused. Also, SWARNER told CV1 to touch CV2's vagina, which he did while SWARNER was present.

7. On April 8, 2022, NCIS Special Agent David Coutts and your affiant interviewed CV1's mother, Complainant, concerning this investigation. Complainant said she has been questioning CV1 about his relationship with the Swarners, and provided the following information: Since February 2022, CV1 had been telling Complainant he was going on long runs with their dog, when he was really being picked up in a vehicle by SWARNER and CV2 and taken various places, including Sonic, McDonald's, and eventually back to the Swarner residence on JB SA Lackland.

8. In particular, on March 31, 2022, CV1 was picked up by SWARNER and driven back to SWARNER's residence. SWARNER put on a Netflix movie titled, "365" and put both CV1 and CV2 in her room to watch it. SWARNER told CV1 to let CV2 give him a "hand-job" and that it would feel good. SWARNER was adamant that they needed to stay on the right side of the bed, but SWARNER was not present in the room, and the door was closed. While they were watching the movie, CV2 got a message from SWARNER saying for her to cuddle with CV1. CV1 was naked from the waist down and CV2 played with him and gave him a "hand-job."

9. Another time that CV1 was at SWARNER's residence, March 26, 2022, SWARNER spoke to him and CV2 about how to have sex and said he needed to stick his penis in CV2's vagina. CV1 was worried about getting CV2 pregnant, so SWARNER said she would buy condoms for the next weekend. SWARNER also gave CV1 a Cash App account where SWARNER would send him money, over \$100.00. SWARNER would ask CV1 to take a picture and send it to CV2, and SWARNER would give him money. [REDACTED]

10. Your affiant received the iPhone given to CV1 by SWARNER, and obtained a federal search warrant for its contents on April 12, 2022. Your affiant reviewed the phone and discovered the following:

- a. Under Settings, the name on the phone matches the name of CV1 and the email address registered to the phone contains the name of CV1.
- b. The "Cash App" application was discovered on CV1's phone. Review of the Cash App history shows several transactions with "Keisha Swarner" and CV2. The transactions with "Keisha Swarner" are as follows, all under the description "Payment":
  - March 16, \$25.00 deposit
  - March 20, \$5.00 to "Keisha Swarner"
  - March 20, \$5.00 deposit
  - March 21, \$1.88 deposit
  - March 23, \$5.00 deposit
- c. Messages were discovered on the phone between CV1 and CV2. Review of those messages revealed multiple exchanges of photos of what appears to be a young female teenager's breasts and a young male teenager's penis.
- d. Several FaceTime Videos and/or calls with SWARNER daily from March 24-31 were discovered. SWARNER is saved in CV1's phone as "Mom."

- e. Review of the SnapChat application on the phone show CV1 is friends on SnapChat with "Keisha Swarner."
- f. Messages were discovered on the phone between CV1 and the contact listed as "Mom," who this investigation has identified as SWARNER. Among others, the following conversations were noted:

**March 27, 2022, beginning at 0114 hours:**

SWARNER: Ur starting to make me see that again. Go to bed!  
CV1: I can't  
SWARNER: Y  
CV1: I'm toooo turned on af (emoji of hand over face)  
(two emojis of hand over face)  
[CV2] made me turned on af  
SWARNER: WTF how?  
CV1: At ur house  
SWARNER: Ur not surprised  
CV1: Wdym  
SWARNER: I figured she would  
CV1: Would whqt  
SWARNER: Turn u on  
CV1: Oh y  
SWARNER: Idk I'm surprised she went that far  
CV1: Why  
SWARNER: But she wants to try more  
Idk  
CV1: Like what  
SWARNER: Idk  
CV1: Did you ask her  
SWARNER: She said she would try and throng but she is rly scared  
Anything

**Same day, beginning at 0123 hours:**

SWARNER: Also she said when she was giving u a hand job u only let her do  
it for a minute  
Then u freaked out and made her stop  
Y  
CV1: She said it felt weird  
So I said ok  
SWARNER: She said she would have kept going  
CV1: Why didn't she  
SWARNER: She is new at everything  
U told her to stop she said  
CV1: I did??  
SWARNER: That's what she said  
CV1: Oh

SWARNER: Remember if she is doing something wrong or is hurting u  
CV1: Tell her to stop  
SWARNER: Tell her and help her  
CV1: Ok I will  
I'll do that tmr  
SWARNER: lol  
CV1: Dead ass  
SWARNER: He will be home  
CV1: Tell him to leave  
SWARNER: Just go in the room  
Lock the door  
CV1: Ok  
SWARNER: All of our doors lock  
CV1: Ok good  
SWARNER: Just try and be quite  
[REDACTED]  
[REDACTED]  
CV1: Ok  
SWARNER: Now masterbate

**Same day, beginning at 0135 hours:**

SWARNER: But u have to try and touch her too  
CV1: Ok  
SWARNER: She said u started to and then u stopped  
CV1: Touch her  
Like where  
SWARNER: Vagina  
CV1: I'm scared  
What if she gets uncomfortable  
SWARNER: She will tell u  
CV1: Ok  
SWARNER: I told her she would never know if she likes it unless she tries  
She said okay

**March 28, 2022, beginning at 1427 hours:**

SWARNER: Did ur penis go inside [CV2]  
CV1: Maybe  
We tried  
SWARNER: Did u rlly  
CV1: We didn't know how to do it  
SWARNER: Lol  
U will figure it out  
CV1: Ok  
SWARNER: Try again  
CV1: When today  
SWARNER: Whenever u want

11. On April 13, 2022, your affiant searched SWARNER in the Department of Defense Person Search database. This search indicated her phone number matches that of the contact listed in CV1's phone as "Mom," who participated in the conversations and calls described above. The search also indicated a residential address for SWARNER at JBSA Lackland, TX.

12. A criminal history check revealed that, on January 29, 2003, SWARNER was convicted of Animal Cruelty - Bestiality and Malicious Mischief, Class C felonies, stemming from an arrest by the Chelan County, Washington, Sheriff's Office.

13. Based on the investigation to date, your affiant believes SWARNER to be a schoolteacher in San Antonio, Texas.

14. There is probable cause to believe that **KEISHA SWARNER** violated 18 U.S.C. § 2244(a)(3), Abusive Sexual Contact with a Child. Specifically, there is probable cause to show that, in the special maritime and territorial jurisdiction of the United States, and in the Western District of Texas, SWARNER knowingly caused sexual contact with a minor, who had attained the age of 12 years but had not attained the age of 16 years.

MARTIN.GERALD. Digitally signed by  
A.III.1234338044 MARTIN.GERALD.A.III.1234338044  
Date: 2022 04.14 12:16:18 -05'00'

Gerald Martin, Special Agent  
Naval Criminal Investigative Services  
Resident Agency, San Antonio, TX

Sworn to before me on this

14 day of April 2022.



HONORABLE RICHARD B. FARRER  
United States Magistrate Judge  
Western District of Texas